



1-16-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gantier *et al.*
Serial No.: 10/658,834
Filed : September 08, 2003
Cust. No.: 24961
Conf. No.: 7681
For: **RATIONAL EVOLUTION OF
CYTOKINES FOR HIGHER
STABILITY, THE CYTOKINES
AND ENCODING NUCLEIC ACID
MOLECULES**
Art Unit: 1644
Examiner: Unassigned

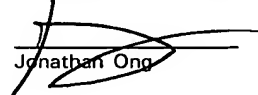
CERTIFICATE OF MAILING BY "EXPRESS
MAIL"

"Express Mail" Mailing Label Number
EV 417729046 US
Date of Deposit January 14, 2004

I hereby certify that this paper is being deposited
with the United States Postal "Express Mail Post
Office to Addressee" Service under 37 C.F.R.
§1.10 on the date indicated above and addressed
to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on this date.

01/14/04
Date


Jonathan Ong

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith via hand delivery are a Supplemental Information
Disclosure Statement, Form PTO-1449 (1 page), and cited references for filing in
connection with the above-identified application. Because this Supplemental
Information Disclosure Statement is filed prior to receipt of a First Office Action on the
merits in the above-identified application, no fee is due. However, should it be
determined that a fee for filing these papers is required, the Commissioner is authorized
to charge Deposit Account No. 50-1213, as stated below:

(X) The Commissioner is hereby authorized to charge any fees that may be
due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with
this application during its entire pendency to Deposit Account No. 50-
1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 37851-0922
Address all correspondence to:
Stephanie L. Seidman, Esq.
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
EMAIL: sseidman@hewm.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gantier *et al.*
Serial No.: 10/658,834
Filed: September 08, 2003
Cust. No.: 24961
Conf. No.: 7681
For: **RATIONAL EVOLUTION OF
CYTOKINES FOR HIGHER
STABILITY, THE CYTOKINES
AND ENCODING NUCLEIC ACID
MOLECULES**
Art Unit: 1644
Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 417729046 US

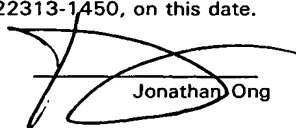
Date of Deposit January 14, 2004

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on this date.

01/14/04

Date


Jonathan Ong

INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits of the above-captioned application. Thus, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited documents are provided herewith in connection with the above-captioned application.

The documents listed on Form PTO-1449 and supplied herewith are all in the English language with the exception of item B. International Patent

U.S.S.N. 10/658,834

Gantier *et al.*

Supplemental Information Disclosur Statement

Application number PCT 01/86291, which is in the French language, is supplied with an English language equivalent (item A) describing the subject matter. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common:

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Publ'n. No.</u>	<u>Publ'n. Date</u>	<u>Docket No.</u>
10/022,249	12/17/01	2003-0134351	07/17/03	911
10/022,390	12/17/01	2003-0129203	07/10/03	912
10/375,192	02/24/03	2003-0224404	12/04/03	918
60/457,135	03/21/03			P922B
60/457,063	03/21/03			P923B
10/658,355	09/08/03			923

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.



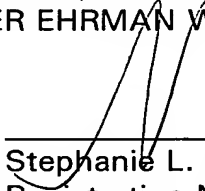
U.S.S.N. 10/658,834

Gantier *et al.*

Supplemental Information Disclosure Statement

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER EHRMAN WHITE & MCAULIFFE LLP

By: 
Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 37851-0922

Address all correspondence to:

Stephanie L. Seidman

HELLER EHRMAN WHITE & MCAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

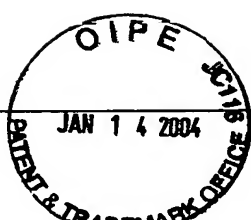
San Diego, CA 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@HEWM.com

FORM PTO-1449



LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

ATTY. DOCKET NO.
37851-922

SERIAL NO.
10/658,834

CONFIRM NO.
7681

APPLICANT
GANTIER et al.

CUSTOMER NO.
24961

FILING DATE
September 8, 2003

GROUP
1644

* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).

** If an asterisk is placed beside the reference number, a copy is NOT provided because pursuant to the USPTO's waiver from the 37 CFR 1.98(a)(2)(i) requirement for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b).

+ Derwent English language abstract and/or English translation provided.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	A	0	1	7	5	6	9	4	09/18/03	Vega	435	5	05/04/01

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
	B	0	1	8	6	2	9	1	11/15/01	PCT			+	
	C	1	0	2	2	3	3	5	07/26/00	EP				
	D	9	7	3	8	7	2	3	10/23/97	PCT				
	E	9	8	3	2	8	8	0	07/30/98	PCT				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	NONE
--	------

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **RATIONAL EVOLUTION OF CYTOKINES FOR HIGHER STABILITY, THE CYTOKINES AND ENCODING NUCLEIC ACID MOLECULES**